S.B. Civil Misc. Appeal No.1174/2004

Jawari Lal & Ors. vs. Suva Lal.

Date : 2.8.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. OP Boob, for the appellants.

Mr. Rakesh Arora, for the respondent.

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Heard learned counsel for the parties.

It is not in dispute that the respondent has raised substantial construction and this fact was taken note of by the trial court while deciding the application and now by this time, according to learned counsel for the respondent, he has already raised the construction.

In view of the above, the appeal to challenge the order of trial court of rejection of the injunction application seeking prohibitory injunction itself has become infructuous.

Accordingly, this appeal, having no merit, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya